

(Working notes)

**TOWN OF ROCKY HILL
ZONING BOARD OF APPEALS
MEETING OF APRIL 15, 2014**

1. CALL TO ORDER

Acting Chairman Coelho called the Tuesday, April 15, 2014 meeting to order at 7:04 p.m. in the Council Room of the Rocky Hill Town Hall, 761 Old Main Street, Rocky Hill, Connecticut.

Present: Joe Coelho, Acting Chairman
Phil Benoit, Secretary
Christopher Incarvito
Greg Faulkner, Commissioner

Alternates: William Tangney
Jason Bates

Also: Frank Kelley, Zoning Enforcement Officer
Eileen A. Knapp, Recording Secretary

Chairman Reilly went over the procedures for the public hearings and noted that any decision of the Board can be appealed within 15 days of the decision. Secretary Benoit read the legal notice.

2. PUBLIC HEARING

A. Appeal 2014 - 3, David W. Ehrhardt, requesting side yard and aggregate side yard setback variances of 9.7 feet and 9.3 feet respectively from the requirements of 15 feet for one side and 30 feet aggregate to construct an attached deck of approximately 24'by 14' and a 24 foot by 36 foot garage under Section 3.5.1 Of the Rocky Hill Zoning Regulations, for property located at 16 Bayberry Lane in a R-20 Residential Zoning District; ID #09-180;

Mr. Dave Ehrhardt of 16 Bayberry Lane addressed the Commission. He would like to put a detached garage on his property. He doesn't have a garage and he has two classic cars and his daily car that he would like to store inside. The size if the garage would accommodate all three cars. Because of the location of his house, this is the only place where he can locate the garage.

Commissioner Comments/Questions

Commissioner Benoit asked why the garage couldn't be moved forward on the site. Mr. Ehrhardt said he didn't want it to be too close to the house and he would like to be able to see the garage doors from inside the home. There are no windows on that side of the house.

Commissioner Incarvito asked why he doesn't make the garage flush with the front of the house. Mr. Ehrhardt said that would create a 4' alleyway between the house and the garage and there is a gas meter next to the fireplace. Commissioner Incarvito asked about the stairs from the proposed deck. Mr. Ehrhardt said there will be a 2' height elevation from the ground to the back of the house floor level. Commissioner Incarvito asked if how close the structure will be to the neighbor's house. Mr. Ehrhardt said his neighbor's house is 15' away from the property line, which would make it about 40' from the back corner of the garage.

Commissioner Faulkner said the application is for a 2' car garage. Mr. Ehrhardt said it is an oversized two or a small three car garage. Commissioner Faulkner asked if the driveway would have to be extended. Mr. Ehrhardt said it will have to be extended 4' and widened about 10' for the first 20' in front of the garage.

Commissioner Incarvito asked if the garage could be narrower. Mr. Ehrhardt said it wouldn't suit his needs if it was smaller than what he is proposing. He said he has spoken with all his neighbors and none have any objections.

Public

None.

- B. Appeal 2014 – 4, Charles M. and Shawna G. Wisnioski, requesting a rear yard variance of 3.9 feet to construct an addition (bathroom and bedroom with overhang) to an existing home under Section 3.5.1 Of the Rocky Hill Zoning Regulations, for property located at 670 Old Main Street in a R-20 Residential Zoning District; ID#10-293;**

Mr. Charlie Wisnioski of 660 Old Main Street said they are planning to retire at 670 Old Main Street and they want to live in a one level dwelling. The design requires that there be a bedroom and bathroom on the upper level. This addition pushes the building line beyond the rear yard setback. The topography limits where they can put the addition. Mr. Wisnioski showed a diagram of what he is requesting.

Commissioner Comments/Questions

None.

Public

Mr. Dave Kromus of 680 Main Street addressed the Commission in support of the variance.

- C. Appeal 2014 – 5, Custom Automotive Replica Services, LLC d/b/a/C.A.R.S. LLC, requesting a variance of Section 4.1.5 of the Rocky Hill Zoning Regulations to locate a business to build custom vehicles; and under Section 8.7.5 to seek a Certificate of Approval for Location for a General Repairer per CT Department of Motor Vehicle per Section 14-54 of the General Statutes, for**

property located at 45 Evans Road in a WF – Waterfront Zoning District; ID# 14-394

Mrs. Laura Chiulli of 499 Pleasant Valley Road addressed the Commission representing the Owners of the property. When this property was purchased, it was zoned industrial and it was being used as a fuel terminal for a construction company. Mrs. Chiulli said the neighboring properties include a fleet of fuel trucks, a contaminated sight and a blighted building, which limits them as far as what they can do with this property. They have a potential tenant for the property who would like to operate an automobile customization business. They are requesting a variance of the riverfront zoning to allow for this use. They are in the process of getting DOT permission to access the site through Belomose and they don't think there would be any traffic concerns created by this approval.

Commissioner Comments/Questions

Commissioner Benoit said when he visited the site he saw 35-40 cars parked all over. Ms. Chiulli said many of them are employees of the tenants in the area. There are also many vehicles in varying states of disrepair that they are trying to get permission to remove from the site. These belonged to a former tenant. **Mr. Al Chiulli** said it is a very difficult and long process to get permission to have these cars removed. They are also doing some work on the left hand side of the lot, which means all the cars have to park on the opposite side of the parking lot.

Acting Chair Coelho asked if any other variances were approved on this site. Mr. Chiulli said no.

Commissioner Incarvito asked if the property is being used now. Mr. Chiulli said there are 14 other tenants on the property. Some are leaving. This tenant will be taking over one of the brick buildings on the site. Commissioner Incarvito asked what type of operations this business will engage in. **Mr. Ron Cornacki of 3190 Main Street** said they would mostly be doing custom automotive work with some engine reconstruction. There are six indoor bays in the building.

Commissioner Faulkner asked how many employees they would have. Mr. Cornacki said they would start with three and may increase depending on how business is, but now more than 10. Commissioner Faulkner asked about the other automotive business that was approved in the area. Mr. Cornacki said they were operating in another building but they had to move out.

3. NEW BUSINESS

A. Appeal 2014-3, David Ehrhardt, 16 Bayberry Lane

A MOTION was made by Commissioner Faulkner to approve Appeal 2014 - 3, David W. Ehrhardt, requesting side yard and aggregate side yard setback variances of 9.7 feet and 9.3 feet respectively from the requirements of 15 feet for one side and 30 feet aggregate to construct an attached deck of approximately 24'by 14' and a 24 foot by 36 foot garage under Section 3.5.1 Of the Rocky Hill Zoning Regulations, for property located at 16 Bayberry Lane in a R-20 Residential Zoning District due to the stated hardship. Seconded

by Commissioner Incarvito. All were in favor, MOTION CARRIED UNANIMOUSLY. (Commissioner Tangney voted in the absence of a regular member.)

B. Appeal 2014-4, Charles M. Wisnioski & Shawna G. Wisnioski, 670 Old Main Street

A MOTION was made by Commissioner Benoit to approve Appeal 2014 – 4, Charles M. and Shawna G. Wisnioski, requesting a rear yard variance of 3.9 feet to construct an addition (bathroom and bedroom with overhang) to an existing home under Section 3.5.1 Of the Rocky Hill Zoning Regulations, for property located at 670 Old Main Street in a R-20 Residential Zoning District due to the hardship. Seconded by Commissioner Faulkner. All were in favor, MOTION CARRIED UNANIMOUSLY. (Commissioner Bates voted in the absence of a regular member.)

C. Appeal 2014-5, Custom Automotive Replica Services, LLC, dba C.A.R.S. LLC, 45 Evans Road;

A MOTION was made by Commissioner Faulkner to approve Appeal 2014 – 5, Custom Automotive Replica Services, LLC d/b/a/C.A.R.S. LLC, requesting a variance of Section 4.1.5 of the Rocky Hill Zoning Regulations to locate a business to build custom vehicles; and under Section 8.7.5 to seek a Certificate of Approval for Location for a General Repairer per CT Department of Motor Vehicle per Section 14-54 of the General Statutes, for property located at 45 Evans Road in a WF – Waterfront Zoning District. Seconded by Commissioner Incarvito. Four were in favor (Tangney, Coelho, Incarvito, Faulkner) one opposed (Benoit), MOTION CARRIED. (Commissioner Tangney voted in the absence of a regular member.)

4. OLD BUSINESS

No discussion.\

5. ANY OTHER BUSINESS

Acting Chair Coelho asked about setting up a meeting with the Planning and Zoning Commission. Mr. Kelley said they are trying to set up a joint meeting for May 8, 2014. Acting Chair Coelho asked for a list of all the properties in Rocky Hill that have temporary structures on them.

Commissioner Benoit asked about a property on Glastonbury Avenue that has a structure being built that looks awfully close to the side yard setbacks. Mr. Kelley said he believes the lot has been approved by the Building Department but he will check to make sure.

Commissioner Incarvito said they approved an application a while back for the transfer station and he thought that included in that approval was a condition that plantings be placed in front of the fence. He asked Mr. Kelley to look into that for the next meeting.

6. APPROVE WORKING NOTES / MINUTES – March 18, 2014

A MOTION was made by Commissioner Benoit to approve the minutes and working notes from March 18, 2014 as presented. Seconded by Commissioner Faulkner. All were in favor, MOTION CARRIED UNANIMOUSLY.

7. ADJOURN

A MOTION was made by Commissioner Incarvito to adjourn. Seconded by Commissioner Benoit. All were in favor, MOTION CARRIED UNANIMOUSLY.

Meeting adjourned at 7:50 p.m.

Respectfully submitted,

Eileen A. Knapp
Recording Secretary